

For Formal Entry

Response 01, ADV1.004
Application 10/748,860

MARKED-UP VERSION OF SUBSTITUTE SPECIFICATION

**ILLUMINATED CAPS FOR CONTAINERS
AND DISPLAY RACKS FOR ENERGIZING THEM**

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Cross Reference to Related Applications

This application claims benefit of the Provisional U.S. Patent Application entitled **Lighted Cap**, serial no 60/436,576, which was mailed December 11, 2002, and filed as of December 27, 2002, by James R. Zarian, a copy of which
10 is attached hereto for reference purposes, the disclosure of which is also incorporated herein by reference.

Background

15 Light forms for illumination have gained tremendous interest recently. LEDs (Light emitting diodes) as a light source have also been used extensively because of dazzling color, high flux, energy efficiency among other attributes. One of the more interesting attributes of LEDs is the compactness and small footprint.

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Summary of Invention

~~What is disclosed is a~~ A cap 5 for a container that comprises of a light source such as an LED 10, is contained within the cap 5 and conductors 15A and 15B are placed without the cap as depicted in Fig. 1.

25

This embodiment attached to a container, then can be held in a holder 20 capable of conducting current to the cap as depicted in Fig. 2.

The holder may have spring action, whereby once the cap is inserted into the
30 holder, contact is made and the cap projects light into the contents of the container lighting the same.

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Application 10/748,860

The holder may also have a stem 25 attached to it as depicted below as well as a base 30 containing an energy source such as batteries, as shown in Fig. 3.

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In another embodiment a holder may be provided as arranged as shown in Fig. 4.

10 The holder is provided with conductors and containers including the cap can slide from one portion of the holder to the next and fall into place at predetermined intervals, indicated as I1 through I4. In such an arrangement a group of containers would be lit and as one container is removed, another container would fall into place and remain lit.

15 In certain arrangements the inclusion of an LED as the product is sold may be prohibitive or a large intensity of light may be needed. In such circumstances, the container(s) may be provided with a clear cap 35 and light from an LED 10 projected into the container as depicted in Fig. 5.

20 In one embodiment a series of LEDs ~~my~~ may be arranged on a rack 40 and the rack 40 may also contain a guide (not shown) to place the LEDs 10 onto the caps 35 illuminating the contents of the bottles as depicted in Fig. 6.

For Formal Entry

Response 01, ADV1.004
Application 10/748,860

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Application 10/748,860

MARKED-UP VERSION OF SUBSTITUTE ABSTRACT

A cap for a container, ~~comprising~~ having a light source contained within the cap, and a pair of conductors adapted to be in contact with a source of current exterior to the cap, the conductors being disposed so as to conduct current to

5 illuminate the light source when they are in contact with the source of current exterior to the cap. The light source is desirably an LED. The cap fits a holder, which ~~comprises~~ has means for detachably contacting the cap, desirably having spring action, and conductors providing a source of current to the pair of conductors in the cap when the cap is in contact with the holder.

10 The holder desirably has multiple portions for use with at least a multiplicity of containers having such caps. The invention also includes a display rack, comprising means, e.g. LEDs, for directing ~~light onto~~ light onto the top of each of a plurality of containers having a translucent cap.

For Formal Entry

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This is a response to the Office Action of July 11, 2005. This response is submitted on January 11, 2006, accompanied by a petition for a three-month extension of time and the requisite small entity fee.

Applicant has canceled claims 1 – 5, and claim 7. Applicant hereby amends claims 6, 8, and 9 as to not depend on the previously rejected claims. It is submitted that the claims presented herein overcome the objections applicable to claims 6, 8, and 9, which, according to the Office Action, would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

**SUBSTITUTE SPECIFICATION
Under 37 CFR 1.125(1); MPEP 608.01q**

Applicant submits a substitute specification in accordance with § 1.125 of the Patent Rules. Applicant hereby certifies that the substitute specification submitted herewith does not include any new matter. As per part (c) of § 1.125, the substitute specification has been submitted in both marked form, and clean form. The substitute specification includes changes in the abstract to respond to the rejection of the specification in the Office Action, and changes within the specification to include reference characters for features that were disclosed in the application as filed.

STATEMENT under 37 CFR 1.125(a)

Applicant, by the undersigned attorney of record signing on information and belief, hereby avers that no new matter is presented in the present Response, including the substitute specification and amended claims.

DRAWINGS-REPLACEMENT SHEETS AND NEW SHEET

In accordance with MPEP 714, a new version of the drawings, each page of sheets 1 to 4 labeled "Replacement Sheet", has been submitted. No new figures have been added. However, due to page layout considerations, there are now five sheets of drawings whereas there were four in the application as filed. The additional fifth sheet has been labeled "New Sheet." The changes to the drawings are primarily to add reference numbers and proper lead lines.

For Formal Entry

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CONCLUSION

The Examiner is respectfully requested to reconsider the rejections in view of the claim amendments herein and the remarks above.

Respectfully submitted:

January 11, 2006

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